

**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JAMES OBERGEFELL, et al.,

Plaintiffs,

v.

THEODORE E. WYMYSLO, M.D., et al.,

Defendants.

Case No. 1:13-CV-501

District Judge Timothy S. Black

**UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF OF AMICUS CURIAE
CITIZENS FOR COMMUNITY VALUES IN SUPPORT OF DEFENDANT’S
OPPOSITION TO PLAINTIFFS’ MOTION FOR DECLARATORY JUDGMENT AND
PERMANENT INJUNCTION**

Pursuant to S.D. Ohio Civ. R. 7.3, proposed *Amicus Curiae*, Citizens for Community Values, by and through their attorneys, hereby moves this Court for an order granting leave to file the concurrently submitted *amicus curiae* brief in support of Defendant’s Opposition to Plaintiffs’ Motion for Declaratory Judgment and Permanent Injunction. Counsel for *Amicus Curiae* has notified counsel for all parties of this motion. Counsel for all parties expressed no objections to the filing of this motion (although counsel for Plaintiffs conditioned his consent upon *Amicus Curiae* filing the motion by Monday, November 25, 2013, which is hereby accomplished). The basis for this Motion is explained in the brief included within this document.

INTEREST OF PROPOSED AMICUS CURIAE

Proposed *Amicus Curiae* Citizens for Community Values (“CCV”) is an organization that exists to strengthen Ohio families through public advocacy, education, and active community partnership. CCV focuses its efforts on public-policy issues involving marriage, children, and the family.

This case questions the constitutionality of Ohio's sovereign decision to preserve marriage as the union between one man and one woman. CCV's interest in this case derives from the important public-policy issues implicated by that legal question.

Strong families are founded on the ideal of a lifelong marriage of one man and one woman. Healthy, enduring marriages enrich the lives of the couple, their children, and the community around them. For decades, the social sciences have provided clear and convincing evidence that not all family structures are equal. CCV discusses much of the relevant social science pertinent to this question in its accompanying *amicus* brief.

ARGUMENT

CCV seeks to provide information to this Court regarding Ohio's interest in supporting the proven parenting structure of a biological mother and father by reserving the title and status of marriage to unions comprised of a man and a woman. A persistent claim by supporters of same-sex marriage is that there is "no difference" in the outcomes of children raised by a biological mother and father and those who have been raised by two women or two men. That claim has also been advanced by associations like the American Psychological Association (APA). CCV's *amicus* brief demonstrates that methodological limitations make the APA's "no difference" hypothesis suspect. The *amicus* brief also shows that the APA's hypothesis is contrary to longstanding research demonstrating that the ideal environment for raising children is a stable marriage of a biological mother and father. CCV's knowledge of this research, as discussed in the accompanying *amicus* brief, will aid the Court in addressing the constitutional questions raised in this case.

CONCLUSION

Citizens for Community Values respectfully requests that this Court issue an order granting leave to file the accompanying brief in support of Defendants.

Respectfully submitted,

s/ **Joseph E. La Rue**

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CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2013, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following participants:

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